

# **EXHIBIT D**

<p style="text-align: right;">Page 1</p> <p>1 UNITED STATES DISTRICT COURT  2 SOUTHERN DISTRICT OF ILLINOIS  3 EAST ST. LOUIS DIVISION  4 CHARLENE EIKE, et al., on )  behalf of themselves and all)  5 others similarly situated, )  )Cause No.  6 Plaintiffs, )3:12-cv-01141-DRH-DGW  )  7 v. )  )  8 ALLERGAN, INC., et al., )  )  9 Defendants. )  -----)  10  11  12  13  14  15 VIDEOTAPED DEPOSITION OF GREGORY SEITZ, II  16 Princeton, New Jersey  17 Wednesday, March 12, 2014  18  19  20  21  22  23  24 Reported by:  JOMANNA DeROSA, CSR  25 JOB NO. 70916</p>	<p style="text-align: right;">Page 3</p> <p>1 A P P E A R A N C E S:  2  3 LAW OFFICE OF RICHARD S. CORNFELD  Attorneys for the Plaintiffs  1010 Market Street, Suite 1720  4 St. Louis, Missouri 63101  BY: RICHARD S. CORNFELD, ESQ. (via phone)  5  6 GREENBERG TRAURIG, LLP  Attorneys for Alcon Laboratories,  7 Alcon Research, Ltd.; Falcon  Pharmaceuticals, Ltd; and Sandoz, Inc.  8 77 W. Wacker Drive, Suite 2500  Chicago, Illinois 60601  9 BY: GREGORY OSTFELD, ESQ.  10  11 KIRKLAND &amp; ELLIS, LLP  Attorneys for Pfizer, Inc.  333 S. Hope Street  12 Los Angeles, California 90071  BY: AUSTIN NORRIS, ESQ. (via phone)  13  14 SHOOK, HARDY &amp; BACON, LLP  Attorneys for Allergan, Inc.;  15 Allergan USA, Inc.; Allergan Sales, LLC;  and Bausch &amp; Lomb, Inc.  16 2555 Grand Boulevard  Kansas City, Missouri 64108  17 BY: JAMES P. MUEHLBERGER, ESQ. (via phone)  18  19 BRYAN CAVE, LLP  Attorneys for Merck &amp; Co., Inc.; Merck,  Sharp &amp; Dohme Corp.; and Prasco, LLC  20 211 N. Broadway, Suite 3600  St. Louis, Missouri 63102  21 BY: TIMOTHY HASKEN, ESQ. (via phone)  22  23 ALSO PRESENT:  24 DAVID L. KLEINMAN, In-House Counsel for Sandoz  MATTHEW SMITH, Legal Video Specialist  25</p>
<p style="text-align: right;">Page 2</p> <p>1 March 12, 2014  2 9:30 a.m.  3  4  5 Videotaped Deposition of  6 GREGORY SEITZ, II, held at the offices  7 of Reed Smith, 136 Main Street,  8 Princeton, New Jersey, before Jomanna  9 DeRosa, a Certified Shorthand Reporter  10 and Notary Public of the States of  11 New York, New Jersey, California  12 and Arizona.  13  14  15  16  17  18  19  20  21  22  23  24  25</p>	<p style="text-align: right;">Page 4</p> <p>1 INDEX:  2 WITNESS EXAM BY: PAGE:  3 G. Seitz, II Mr. Cornfeld 7  4  5  6  7 EXHIBITS  8 Exhibit No. Page:  9 Exhibit PL 4064 Notice of Deposition 10  10 Exhibit PL 4058 Answer to Interrogatory 15  11  12  13  14  15  16  17  18  19  20  21  22  23  24  25</p>

Page 5	Page 7
<p>1 LITIGATION SUPPORT INDEX</p> <p>2</p> <p>3 DIRECTION TO WITNESS NOT TO ANSWER</p> <p>4 Page Line Page Line</p> <p>5 (NONE)</p> <p>6</p> <p>7 REQUEST FOR PRODUCTION OF DOCUMENTS</p> <p>8 Page Line Page Line</p> <p>9 (NONE)</p> <p>10</p> <p>11 INFORMATION TO BE FURNISHED</p> <p>12 Page Line Page Line</p> <p>13 (NONE)</p> <p>14</p> <p>15 QUESTIONS MARKED FOR A RULING</p> <p>16 Page Line Page Line</p> <p>17 (NONE)</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 who is present telephonically please state</p> <p>2 your appearances as well.</p> <p>3 MR. MUEHLBERGER: This is Jim</p> <p>4 Muehlberger of Shook, Hardy &amp; Bacon,</p> <p>5 representing the Allergan and Bausch &amp; Lomb</p> <p>6 defendants.</p> <p>7 MR. HASKEN: This is Tim Hasken</p> <p>8 from Bryan Cave law firm, representing the</p> <p>9 Merck and Prasco defendants.</p> <p>10 MR. NORRIS: This is Austin Norris</p> <p>11 from Kirkland &amp; Ellis representing Pfizer,</p> <p>12 Inc.</p> <p>13 THE VIDEOGRAPHER: Thank you. And</p> <p>14 will the court reporter please swear in the</p> <p>15 witness.</p> <p>16 G R E G O R Y S E I T Z, II, called as a</p> <p>17 witness, having been duly sworn by a Notary</p> <p>18 Public, was examined and testified as</p> <p>19 follows:</p> <p>20 EXAMINATION BY</p> <p>21 MR. CORNFELD:</p> <p>22 <b>Q. Would you state your name please,</b></p> <p>23 <b>sir?</b></p> <p>24 A. Sure. It's Gregory Seitz, II.</p> <p>25 <b>Q. And, Mr. Seitz, by whom are you</b></p>
Page 6	Page 8
<p>1 THE VIDEOGRAPHER: We're on the</p> <p>2 record. Today's date is March 12th, 2014, and</p> <p>3 the time is 9:39 a.m. This is the videotaped</p> <p>4 deposition of Gregory Seitz in the matter of</p> <p>5 Charlene Eike, et al. v. Allergan,</p> <p>6 Incorporated, et al., Case No. 3:12-cv-01141,</p> <p>7 in the United States District Court, Southern</p> <p>8 District of Illinois.</p> <p>9 This deposition is being held at</p> <p>10 136 Main Street in Princeton, New Jersey. The</p> <p>11 reporter's name is Jomanna DeRosa. My name is</p> <p>12 Matthew Smith. I'm the certified legal</p> <p>13 videographer. We are with Midwest Litigation</p> <p>14 Services.</p> <p>15 Would the attorneys present please</p> <p>16 introduce yourselves.</p> <p>17 MR. CORNFELD: Rick Cornfeld,</p> <p>18 representing the plaintiffs.</p> <p>19 MR. OSTFELD: This is Greg Ostfeld,</p> <p>20 representing Sandoz, Inc., Alcon Research,</p> <p>21 Alcon Laboratories, and Falcon</p> <p>22 Pharmaceuticals.</p> <p>23 MR. KLEINMAN: David Kleinman,</p> <p>24 in-house counsel for Sandoz.</p> <p>25 THE VIDEOGRAPHER: And will counsel</p>	<p>1 <b>employed?</b></p> <p>2 A. I'm employed by Sandoz, Inc.</p> <p>3 <b>Q. What is your position there?</b></p> <p>4 A. My position is Director of</p> <p>5 Regulatory Affairs.</p> <p>6 <b>Q. How long have you had that</b></p> <p>7 <b>position?</b></p> <p>8 A. I've had that position for about</p> <p>9 three and a half years.</p> <p>10 <b>Q. All right. How long have you</b></p> <p>11 <b>worked for Sandoz, Inc.?</b></p> <p>12 A. Approximately, four and a half</p> <p>13 years.</p> <p>14 <b>Q. So, you began with Sandoz in around</b></p> <p>15 <b>2009?</b></p> <p>16 A. Correct.</p> <p>17 <b>Q. Okay. And what was your position</b></p> <p>18 <b>when you hired on with them?</b></p> <p>19 A. I was hired as an Associate</p> <p>20 Director of Regulatory Affairs.</p> <p>21 <b>Q. What is your business address?</b></p> <p>22 A. My business address is One Health</p> <p>23 Plaza, East Hanover, New Jersey.</p> <p>24 <b>Q. All right. And, sir, as you know,</b></p> <p>25 <b>I introduced myself to you before we began. I'm</b></p>

2 (Pages 5 to 8)

Page 9

1 **Rick Cornfeld. I represent the plaintiffs in the**  
 2 **Eike litigation, and I will be asking you**  
 3 **questions this morning.**

4 **If at any time you have not heard**  
 5 **my question, or think you haven't heard it, or**  
 6 **don't understand it, or maybe there's a glitch in**  
 7 **the video connection, will you let me know so that**  
 8 **I can make the question either audible or**  
 9 **understandable?**

10 A. I will.

11 **Q. All right. And if you -- at any**  
 12 **time you want to take a break, just let me know.**  
 13 **Usually the videographer has to take a break after**  
 14 **every hour or so, but if you would like a break at**  
 15 **any other time, just let me know and that will be**  
 16 **fine. All right?**

17 A. Thank you.

18 **Q. Okay. And you understand that you**  
 19 **are here testifying as a corporate representative**  
 20 **of Sandoz, Inc. Correct?**

21 A. That is correct.

22 **Q. All right. And you agreed to**  
 23 **fulfill that role on behalf of Sandoz. Correct?**

24 A. That is correct.

25 **Q. All right. And so, you understand**

Page 10

1 **that you are here to testify not just to what you,**  
 2 **Gregory Seitz, know, but to what Sandoz, Inc.**  
 3 **knows. Correct?**

4 A. Correct.

5 **Q. And if during my questioning I use**  
 6 **the word "you" in the question, you will**  
 7 **understand that what I am talking about is Sandoz,**  
 8 **and not you, personally, Gregory Seitz. Correct?**

9 A. Correct.

10 **Q. Okay. So, for example, if I say**  
 11 **are you aware that I am sitting here in St. Louis,**  
 12 **I'm asking not -- not you, Gregory Seitz, and so,**  
 13 **you'd have to think, well, boy, does my company**  
 14 **know that, that Mr. Cornfeld is in St. Louis, and**  
 15 **maybe they don't know that, so I have to say I**  
 16 **don't know. You understand that. Correct?**

17 MR. OSTFELD: Objection. Form.

18 **Q. Go ahead.**

19 A. Correct.

20 (Exhibit PL 4064 marked for  
 21 identification.)

22 **Q. Okay. Sir, do you have in front of**  
 23 **you the document that's the Notice of Deposition?**  
 24 **It's got the Bates number on the first page of**  
 25 **PL 004064.**

Page 11

1 A. Yes. It was just handed to me.

2 **Q. All right. Have you seen that**  
 3 **document before?**

4 A. Yes.

5 **Q. All right. So, you know that this**  
 6 **contains the topics on which we asked Sandoz to**  
 7 **provide a witness to testify. Correct?**

8 A. I believe that there was further  
 9 communication after this.

10 **Q. Well, let me start with this: You**  
 11 **understand that these are the topics on which we**  
 12 **asked for a witness. Correct?**

13 A. I believe so.

14 **Q. Okay. And I understand from --**  
 15 **from communications from your attorneys that there**  
 16 **are topics in here on which Sandoz says it has no**  
 17 **knowledge.**

18 **And that's fine. And I think on**  
 19 **those topics what I'm going to want to do is just**  
 20 **have you confirm that. And if it's true that**  
 21 **Sandoz has no knowledge about something, that's**  
 22 **fine, and we'll go on our way. All right?**

23 A. Okay.

24 **Q. Okay. Now, in preparing for this**  
 25 **deposition, what did you do?**

Page 12

1 A. I had met with my attorneys, as  
 2 well as looked through some of the submissions for  
 3 the products at question.

4 **Q. Did you do anything else?**

5 A. No.

6 **Q. Did you talk to anyone other than**  
 7 **your attorneys?**

8 A. No.

9 **Q. Incidentally, other than working**  
 10 **for Sandoz, have you ever worked for any other**  
 11 **company within what I'll call the Alcon family?**

12 A. No.

13 **Q. All right. So, you've never worked**  
 14 **for Alcon Laboratories, or Alcon, Inc., or Falcon,**  
 15 **or any of those companies that are part of the**  
 16 **Alcon group?**

17 A. No.

18 **Q. Is that right?**

19 A. Correct.

20 **Q. Correct? Okay.**

21 **You understand that Sandoz is a**  
 22 **company that develops, manufactures, and markets**  
 23 **and distributes a broad line of generic**  
 24 **prescription products. Correct?**

25 A. Correct.

3 (Pages 9 to 12)

Page 13

1 **Q. And incidentally you pronounce the**  
 2 **name of the company -- I want to make sure I get**  
 3 **this right since we're on video. You pronounce**  
 4 **the name of the company by pronouncing the final**  
 5 **Z, Sandoz?**

6 A. I believe it's called Sandoz.

7 **Q. Okay. Maybe I misunderstood you.**  
 8 **I have heard the in-house counsel refer to it as**  
 9 **Sandoz, and I thought I heard you say Sandoz,**  
 10 **Inc., but more correctly we should call it Sandoz,**  
 11 **with a silent Z?**

12 A. Correct.

13 **Q. Is that right?**

14 A. Correct.

15 **Q. Okay. Now, for nearly three years**  
 16 **Alcon has been manufacturing and supplying**  
 17 **ophthalmic pharmaceuticals for Sandoz in the**  
 18 **United States. Correct?**

19 A. I believe so.

20 **Q. When did that begin?**

21 A. I'm not 100 percent sure on the  
 22 date, as that's not my area of expertise.

23 **Q. I've seen April of 2011 and June of**  
 24 **2011, but I've seen both of those. But was it**  
 25 **around then?**

Page 14

1 A. It could have been in 2011.

2 **Q. All right. Whenever it was, since**  
 3 **that time, Sandoz purchased those products,**  
 4 **ophthalmic pharmaceuticals, from Alcon and sold,**  
 5 **marketed, and distributed them in the United**  
 6 **States. Correct?**

7 A. Sandoz is currently a distributor  
 8 of products manufactured by Alcon, yes.

9 **Q. Okay. It buys those products from**  
 10 **Alcon.**

11 **Correct?**

12 A. Correct.

13 **Q. All right. And it markets those**  
 14 **products. Correct?**

15 A. Correct.

16 **Q. All right. Does Alcon manufacture**  
 17 **those products?**

18 MR. OSTFELD: Objection.

19 Ambiguous.

20 A. Are you speaking in particularly  
 21 about the products in question or --

22 **Q. The pharmaceutical -- the generic**  
 23 **pharmaceutical products that Sandoz buys from**  
 24 **Alcon, is Alcon the manufacturer?**

25 A. I believe so.

Page 15

1 (Exhibit PL 4058 marked for  
 2 identification.)

3 **Q. Okay. And would you take a look at**  
 4 **the document that's numbered PL 004058.**

5 **Do you see that?**

6 A. One second, please. Okay.

7 **Q. Is -- strike that.**

8 **Have you seen this document before?**

9 A. No.

10 **Q. All right. This -- this is a**  
 11 **document that was provided to us by Sandoz in**  
 12 **response to an interrogatory that we asked.**

13 **Can you look through this and**  
 14 **confirm that this lists the ophthalmic**  
 15 **pharmaceuticals that Sandoz purchases, markets,**  
 16 **and distributes and sells after being purchased**  
 17 **from Alcon?**

18 MR. OSTFELD: Objection. Scope.

19 A. I would need to verify it, as it's  
 20 not my area of expertise.

21 **Q. Does it look accurate?**

22 MR. OSTFELD: Objection. Form.

23 A. Again, I would need to verify it.

24 **Q. What I understand is the products**  
 25 **on which you are prepared to testify are**

Page 16

1 **Dorzolamide, Dorzolamide Timolol, Latanoprost,**  
 2 **Timolol, and Timolol GFS. Is that right?**

3 A. That is correct.

4 **Q. And those are all products that**  
 5 **Sandoz purchases from Alcon, then markets,**  
 6 **distributes, and sells. Correct?**

7 A. That is correct.

8 **Q. And I've been using the term Alcon.**  
 9 **Do you understand that there are several companies**  
 10 **that have the name Alcon within it, and I'm just**  
 11 **using that term, for want of a better word,**  
 12 **generically just to refer to the Alcon group of**  
 13 **companies. All right?**

14 A. Correct.

15 **Q. And with -- okay.**

16 **Were you involved at all in the**  
 17 **document search in this litigation?**

18 A. When you say "search," I was -- I  
 19 did provide documentation to counsel, yes.

20 **Q. What documentation did you provide?**

21 A. Any of the regulatory documentation  
 22 that was provided.

23 **Q. Such as?**

24 A. Such as anything that was submitted  
 25 to the FDA.

4 (Pages 13 to 16)

Page 17

1 **Q. Did Sandoz submit anything to the**  
2 **FDA or was that done by Alcon?**

3 A. All the research and development  
4 for these products, including the original  
5 applications and supplements, were submitted by  
6 Alcon.

7 Sandoz has submitted additional  
8 information to these applications as a regulatory  
9 agent on Alcon's behalf.

10 **Q. All right. Are these documents**  
11 **that are prepared by Alcon and Sandoz submits**  
12 **them?**

13 A. Correct.

14 **Q. What -- what documents are those,**  
15 **if you can describe them generally?**

16 A. The only submissions that Sandoz  
17 has made on behalf of Alcon has been annual  
18 reports.

19 **Q. Annual reports?**

20 A. Correct.

21 **Q. Do any of those annual reports have**  
22 **to do with drop size?**

23 A. No.

24 **Q. So, Sandoz has not submitted any --**  
25 **any documentation or submitted anything to the FDA**

Page 18

1 **for any of the products that we're talking about**  
2 **here related to the size of the drops.**

3 **Is that right?**

4 A. Not that I'm aware of.

5 **Q. Okay. I am correct that they have**  
6 **not done so, so far as you know?**

7 A. As far as I'm aware, correct.

8 **Q. Was anyone else involved in**  
9 **searching for documents in this case?**

10 A. I am not aware of any other  
11 documentation requests.

12 **Q. All right. You understand that**  
13 **this case relates to the size of eye drops that**  
14 **are emitted from the eye drop dispensers that**  
15 **patients use. Correct?**

16 A. Correct.

17 **Q. All right. Does Sandoz itself have**  
18 **any knowledge about the size of the -- of those**  
19 **eye drops?**

20 A. Again, development and all  
21 technical expertise is done by Alcon. So,  
22 Sandoz --

23 **Q. All right. So, then -- I'm sorry.**  
24 **Go ahead.**

25 A. No. Sandoz is only a distributor

Page 19

1 for these products.

2 **Q. Okay. So, Sandoz -- am I correct**  
3 **that Sandoz has no knowledge about the size of the**  
4 **eye drops that are emitted from the dispensers**  
5 **that it sells?**

6 MR. OSTFELD: Objection. Scope.

7 A. That I don't know.

8 **Q. You're not aware of any such**  
9 **knowledge that Sandoz has. Is that correct?**

10 A. Correct.

11 **Q. So far as you are aware, does**  
12 **Sandoz have any knowledge about the factors that**  
13 **influence eye drop size?**

14 MR. OSTFELD: Objection. Scope.

15 A. Being a regulatory professional,  
16 that's outside of my area of expertise.

17 **Q. So, you're not aware of any such**  
18 **knowledge. Is that right?**

19 MR. OSTFELD: Same objection.

20 A. Correct.

21 **Q. So far as you're aware, has Sandoz**  
22 **ever tested the eye drops at issue in this case?**

23 MR. OSTFELD: Objection. Scope.

24 A. Not that I am aware of.

25 **Q. So far as you are aware, is Sandoz**

Page 20

1 **knowledgeable about tests by others of the drop**  
2 **size of the products at issue in this case?**

3 A. Again, not that I'm aware of.

4 **Q. If a customer of one of the drops**  
5 **at issue in this case, say, Timolol or Timolol**  
6 **GFS, whatever it is, so the customer has a**  
7 **complaint or an inquiry, and they send that**  
8 **complaint or inquiry to Sandoz either by e-mail,**  
9 **or by letter, or by telephone, does Sandoz have**  
10 **procedures for handling those complaints or**  
11 **inquiries?**

12 MR. OSTFELD: Objection. Scope.

13 A. Again, Sandoz isn't the applicant,  
14 so any of those complaints would be Alcon.

15 **Q. So, if Sandoz receives such a**  
16 **complaint or inquiry, Sandoz would refer the**  
17 **customer to Alcon. Is that right?**

18 MR. OSTFELD: Objection. Scope.

19 A. Yes. As the applicant, they would  
20 be responsible for adverse events and/or customer  
21 complaints.

22 **Q. All right. I don't mean just a**  
23 **customer complaint, but an inquiry. If a customer**  
24 **called and said how long is my bottle of Timolol**  
25 **supposed to last, would Sandoz tell that customer**

5 (Pages 17 to 20)

<p style="text-align: right;">Page 21</p> <p>1 <b>to call Alcon or would Sandoz have an answer for</b>  2 <b>them?</b>  3 MR. OSTFELD: Objection. Scope.  4 A. Again, it would be handled by  5 Alcon.  6 <b>Q. So, Sandoz would tell the customer,</b>  7 <b>call Alcon, and here's their phone number, or</b>  8 <b>here's their e-mail address or whatever?</b>  9 <b>Is that how it would be handled?</b>  10 MR. OSTFELD: Objection. Scope.  11 Foundation.  12 A. Again, that's outside of my  13 expertise, but I believe that that would be  14 handled by Alcon.  15 <b>Q. Okay. So, Sandoz would refer the</b>  16 <b>customer to Alcon and tell the customer how to get</b>  17 <b>in touch with Alcon. Is that right?</b>  18 MR. OSTFELD: Objection. Scope.  19 Foundation. Asked and answered.  20 <b>Q. Go ahead.</b>  21 A. Again, it's outside of my  22 expertise, so I would assume that it would be  23 handled by Alcon.  24 <b>Q. You say you assume that -- Sandoz</b>  25 <b>then would have to refer the customer to Alcon.</b></p>	<p style="text-align: right;">Page 23</p> <p>1 MR. OSTFELD: Objection. Scope.  2 A. Again, this is outside of my area  3 of expertise.  4 <b>Q. Are you aware of any such knowledge</b>  5 <b>that Sandoz has?</b>  6 MR. OSTFELD: Same objection.  7 Objection. Asked and answered.  8 A. I am not aware of anything.  9 <b>Q. Is Sandoz, to your knowledge, aware</b>  10 <b>of any literature, scientific literature,</b>  11 <b>regarding the size of eye drops?</b>  12 MR. OSTFELD: Objection. Scope.  13 A. Again, that's outside of my area.  14 I am not aware of anything.  15 MR. CORNFELD: That's all the  16 questions that I have. Thank you very much,  17 sir.  18 MR. OSTFELD: Let's take a quick  19 break.  20 THE VIDEOGRAPHER: The time is  21 10:02 a.m. We're off the record.  22 (Recess taken.)  23 THE VIDEOGRAPHER: We're on the  24 record. It's 10:12 a.m.  25 MR. OSTFELD: Okay. This is Greg</p>
<p style="text-align: right;">Page 22</p> <p>1 <b>Correct?</b>  2 MR. OSTFELD: Same objections.  3 <b>Q. Is that your understanding?</b>  4 A. I assume so.  5 <b>Q. Does Sandoz have any knowledge</b>  6 <b>about the amount of medication that the eye can</b>  7 <b>absorb?</b>  8 MR. OSTFELD: Objection. Scope.  9 A. That's outside of my area of  10 expertise.  11 <b>Q. Are you aware of any such knowledge</b>  12 <b>that Sandoz has?</b>  13 MR. OSTFELD: Same objection.  14 A. It's, again, outside of my  15 expertise.  16 <b>Q. Are you aware of any such knowledge</b>  17 <b>that Sandoz has?</b>  18 MR. OSTFELD: Same objection.  19 Asked and answered.  20 <b>Q. Go ahead.</b>  21 A. I am not aware of anything, as this  22 is not an area of my expertise.  23 <b>Q. All right. Are you aware of</b>  24 <b>whether Sandoz knows what size of an eye drop is</b>  25 <b>necessary to be effective?</b></p>	<p style="text-align: right;">Page 24</p> <p>1 Ostfeld. I have no further questions. We'll  2 reserve signature.  3 MR. CORNFELD: All right. So, that  4 concludes the deposition.  5 Madam Court Reporter, I would like  6 you to take the three exhibits that we used,  7 and first put an exhibit sticker on the first  8 page of each document, towards the lower  9 right, just above the Bates number.  10 So, for example, there will be an  11 exhibit sticker above the Bates No. PL 004058,  12 so that that exhibit will be referred to in  13 the future as Exhibit PL 004058. And then  14 please attach those to the transcript.  15 With that, I think we can go off  16 the record.  17 THE VIDEOGRAPHER: This concludes  18 today's deposition. The time is 10:13 a.m.  19 We're off the record.  20 (Recess taken.)  21 THE VIDEOGRAPHER: We're on the  22 record. It's 10:14 a.m.  23 MR. CORNFELD: All right. Just as  24 a correction that somebody kindly pointed out  25 to me, there were only two documents that were</p>

6 (Pages 21 to 24)



Page 25	Page 27
1 used as exhibits in this deposition.	1 MIDWEST LITIGATION SERVICES
2 One was a document with the first	2 March 25, 2014
3 page PL 004058, and the other was a document	3 GREENBERG TRAURIG, LLP
4 with the first page PL 004064.	4 77 W. Wacker Drive, Suite 2500
5 And with that we can, I think,	5 IN RE: CHARLENE EIKE, et al., on behalf of
6 finally go off the record.	6 themselves and all others similarly
7 THE VIDEOGRAPHER: This concludes	7 situated VS ALLERGAN, INC., et al.
8 today's deposition. The time is 10:15 a.m.	8 Dear GREGORY OSTFELD, ESQ.
9 We're off the record.	9 Please find enclosed your copies of the deposition of
10 (Time Ended: 10:15 a.m.)	10 GREGORY SEITZ, II taken on March 12, 2014 in the
11	11 above-referenced case. Also enclosed is the original
12	12 signature page and errata sheets.
13	13 Please have the witness read your copy of the
14	14 transcript, indicate any changes and/or corrections
15	15 desired on the errata sheets, and sign the signature
16	16 page before a notary public.
17	17 Please return the errata sheets and notarized
18	18 signature page to RICHARD S. CORNFELD for filing prior to
19	19 trial date.
20	20 Sincerely,
21	21 Jomanna DeRosa
22	22 Enclosures
23	
24	
25	
Page 26	Page 28
1 CERTIFICATE	1 ERRATA SHEET
2 STATE OF NEW YORK )	2 Witness Name: GREGORY SEITZ, II
3 )ss:	3 Case Name: CHARLENE EIKE, et al., on behalf of
4 COUNTY OF NEW YORK)	4 themselves and all others similarly
5	5 situated VS ALLERGAN, INC., et al.
6 I, JOMANNA DeROSA, a Certified	6 Date Taken: MARCH 12, 2014
7 Shorthand Reporter and Notary Public within	7
8 and for the States of New York, New Jersey,	8 Page # _____ Line # _____
9 California and Arizona, do hereby certify:	9 Should read: _____
10 That GREGORY SEITZ, II, the witness	10 Reason for change: _____
11 whose deposition is hereinbefore set forth, was	11
12 duly sworn by me and that such deposition is a	12 Page # _____ Line # _____
13 true record of the testimony given by such	13 Should read: _____
14 witness.	14 Reason for change: _____
15 I further certify that I am not	15
16 related to any of the parties to this action	16 Page # _____ Line # _____
17 by blood or marriage, and that I am in no	17 Should read: _____
18 way interested in the outcome of this	18 Reason for change: _____
19 matter.	19
20 In witness whereof, I have hereunto	20 Page # _____ Line # _____
21 set my hand this 24th day of March, 2014.	21 Should read: _____
22	22 Reason for change: _____
23	23
24 JOMANNA DeROSA	24
25	25 Witness Signature: _____

7 (Pages 25 to 28)

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Page 29

1 STATE OF \_\_\_\_\_)

2

3 COUNTY OF \_\_\_\_\_)

4

5 I, GREGORY SEITZ, II, do hereby certify:

6 That I have read the foregoing deposition;

7 That I have made such changes in form

8 and/or substance to the within deposition as might

9 be necessary to render the same true and correct;

10 That having made such changes thereon, I

11 hereby subscribe my name to the deposition.

12 I declare under penalty of perjury that the

13 foregoing is true and correct.

14 Executed this \_\_\_\_\_ day of \_\_\_\_\_,

15 20\_\_\_\_, at \_\_\_\_\_.

16

17

18

19

20 \_\_\_\_\_  
GREGORY SEITZ, II

21

22

23 \_\_\_\_\_  
NOTARY PUBLIC

24 My Commission Expires:

25

8 (Page 29)

<b>A</b>	<b>approximately</b> 8:12	<b>broad</b> 12:23	24:17 25:7	<b>dear</b> 27:6
<b>abovereferenced</b> 27:9	<b>april</b> 13:23	<b>broadway</b> 3:20	<b>confirm</b> 11:20	<b>declare</b> 29:12
<b>absorb</b> 22:7	<b>area</b> 13:22 15:20	<b>bryan</b> 3:18 7:8	15:14	<b>defendants</b> 1:9
<b>accurate</b> 15:21	19:16 22:9,22	<b>business</b> 8:21,22	<b>connection</b> 9:7	7:6,9
<b>action</b> 26:16	23:2,13	<b>buys</b> 14:9,23	<b>contains</b> 11:6	<b>deposition</b> 1:15
<b>additional</b> 17:7	<b>arizona</b> 2:12	<b>C</b>	<b>copies</b> 27:7	2:5 4:9 6:4,9
<b>address</b> 8:21,22	26:9	<b>c</b> 3:1	<b>copy</b> 27:12	10:23 11:25
21:8	<b>asked</b> 11:6,12	<b>california</b> 2:11	<b>cornfeld</b> 3:2,4	24:4,18 25:1,8
<b>adverse</b> 20:20	15:12 21:19	3:12 26:9	4:3 6:17,17	26:11,12 27:7
<b>affairs</b> 8:5,20	22:19 23:7	<b>call</b> 12:11 13:10	7:21 9:1 10:14	29:6,8,11
<b>agent</b> 17:9	<b>asking</b> 9:2 10:12	21:1,7	23:15 24:3,23	<b>derosa</b> 1:24 2:9
<b>agreed</b> 9:22	<b>associate</b> 8:19	<b>called</b> 7:16 13:6	27:18	6:11 26:6,24
<b>ahead</b> 10:18	<b>assume</b> 21:22,24	20:24	<b>corp</b> 3:19	27:24
18:24 21:20	22:4	<b>case</b> 6:6 18:9,13	<b>corporate</b> 9:19	<b>describe</b> 17:15
22:20	<b>attach</b> 24:14	19:22 20:2,5	<b>correct</b> 8:16 9:20	<b>desired</b> 27:14
<b>al</b> 1:4,8 6:5,6	<b>attorneys</b> 3:3,6	27:9 28:3	9:21,23,24 10:3	<b>development</b>
27:4,5 28:3,5	3:11,14,19 6:15	<b>cause</b> 1:5	10:4,8,9,16,19	17:3 18:20
<b>alcon</b> 3:6,7 6:20	11:15 12:1,7	<b>cave</b> 3:18 7:8	11:7,12 12:19	<b>develops</b> 12:22
6:21 12:11,14	<b>audible</b> 9:8	<b>certificate</b> 26:1	12:20,24,25	<b>direction</b> 5:3
12:14,16 13:16	<b>austin</b> 3:12 7:10	<b>certified</b> 2:9 6:12	13:12,14,18	<b>director</b> 8:4,20
14:4,8,10,16,24	<b>aware</b> 10:11 18:4	26:6	14:6,11,12,14	<b>dispensers</b> 18:14
14:24 15:17	18:7,10 19:8,11	<b>certify</b> 26:9,15	14:15 16:3,6,7	19:4
16:5,8,10,12	19:17,21,24,25	29:5	16:14 17:13,20	<b>distributed</b> 14:5
17:2,6,11,17	20:3 22:11,16	<b>change</b> 28:10,14	18:5,7,15,16	<b>distributes</b> 12:23
18:21 20:14,17	22:21,23 23:4,8	28:18,20,23	19:2,9,10,20	15:16 16:6
21:1,5,7,14,16	23:9,14	<b>changes</b> 27:13	22:1 29:9,13	<b>distributor</b> 14:7
21:17,23,25	<b>B</b>	29:7,10	<b>correction</b> 24:24	18:25
<b>alcons</b> 17:9	<b>bacon</b> 3:14 7:4	<b>charlene</b> 1:4 6:5	<b>corrections</b>	<b>district</b> 1:1,2 6:7
<b>allergan</b> 1:8 3:14	<b>bates</b> 10:24 24:9	27:4 28:3	27:13	6:8
3:15,15 6:5 7:5	24:11	<b>chicago</b> 3:8 27:4	<b>correctly</b> 13:10	<b>division</b> 1:3
27:5 28:5	<b>bausch</b> 3:15 7:5	<b>city</b> 3:16	<b>counsel</b> 3:23 6:24	<b>document</b> 10:23
<b>ambiguous</b> 14:19	<b>began</b> 8:14,25	<b>commission</b>	6:25 13:8 16:19	11:3 15:4,8,11
<b>amount</b> 22:6	<b>behalf</b> 1:4 9:23	29:24	<b>county</b> 26:4 29:3	16:17 24:8 25:2
<b>angeles</b> 3:12	17:9,17 27:4	<b>communication</b>	<b>court</b> 1:1 6:7	25:3
<b>annual</b> 17:17,19	28:3	11:9	7:14 24:5	<b>documentation</b>
17:21	<b>believe</b> 11:8,13	<b>communications</b>	<b>csr</b> 1:24	16:19,20,21
<b>answer</b> 4:10 5:3	13:6,19 14:25	11:15	<b>currently</b> 14:7	17:25 18:11
21:1	21:13	<b>companies</b> 12:15	<b>customer</b> 20:4,6	<b>documents</b> 5:7
<b>answered</b> 21:19	<b>better</b> 16:11	16:9,13	20:17,20,23,23	17:10,14 18:9
22:19 23:7	<b>blood</b> 26:17	<b>company</b> 10:13	20:25 21:6,16	24:25
<b>appearances</b> 7:2	<b>bottle</b> 20:24	12:11,22 13:2,4	21:16,25	<b>dohme</b> 3:19
<b>applicant</b> 20:13	<b>boulevard</b> 3:16	<b>complaint</b> 20:7,8	<b>D</b>	<b>dont</b> 9:6 10:15,16
20:19	<b>boy</b> 10:13	20:16,23	<b>date</b> 6:2 13:22	19:7 20:22
<b>applications</b> 17:5	<b>break</b> 9:12,13,14	<b>complaints</b> 20:10	27:19 28:6	<b>dorzolamide</b>
17:8	23:19	20:14,21	<b>david</b> 3:23 6:23	16:1,1
		<b>concludes</b> 24:4	<b>day</b> 26:21 29:14	<b>drive</b> 3:8 27:3

<b>drop</b> 17:22 18:14 19:13 20:1 22:24 <b>drops</b> 18:2,13,19 19:4,22 20:4 23:11 <b>duly</b> 7:17 26:12 <hr/> <b>E</b> <hr/> <b>e</b> 3:1,1 7:16,16 <b>east</b> 1:3 8:23 <b>effective</b> 22:25 <b>eike</b> 1:4 6:5 9:2 27:4 28:3 <b>either</b> 9:8 20:8 <b>ellis</b> 3:10 7:11 <b>email</b> 20:8 21:8 <b>emitted</b> 18:14 19:4 <b>employed</b> 8:1,2 <b>enclosed</b> 27:7,9 <b>enclosures</b> 27:25 <b>ended</b> 25:10 <b>errata</b> 27:10,14 27:17 28:1 <b>esq</b> 3:4,9,12,17 3:21 27:6 <b>et</b> 1:4,8 6:5,6 27:4,5 28:3,5 <b>events</b> 20:20 <b>exam</b> 4:2 <b>examination</b> 7:20 <b>examined</b> 7:18 <b>example</b> 10:10 24:10 <b>executed</b> 29:14 <b>exhibit</b> 4:8,9,10 10:20 15:1 24:7 24:11,12,13 <b>exhibits</b> 4:7 24:6 25:1 <b>expertise</b> 13:22 15:20 18:21 19:16 21:13,22 22:10,15,22 23:3	<b>expires</b> 29:24 <b>eye</b> 18:13,14,19 19:4,13,22 22:6 22:24 23:11 <hr/> <b>F</b> <hr/> <b>factors</b> 19:12 <b>falcon</b> 3:7 6:21 12:14 <b>family</b> 12:11 <b>far</b> 18:6,7 19:11 19:21,25 <b>fda</b> 16:25 17:2,25 <b>filing</b> 27:18 <b>final</b> 13:4 <b>finally</b> 25:6 <b>find</b> 27:7 <b>fine</b> 9:16 11:18 11:22 <b>firm</b> 7:8 <b>first</b> 10:24 24:7,7 25:2,4 <b>follows</b> 7:19 <b>foregoing</b> 29:6 29:13 <b>form</b> 10:17 15:22 29:7 <b>forth</b> 26:11 <b>foundation</b> 21:11 21:19 <b>four</b> 8:12 <b>front</b> 10:22 <b>fulfill</b> 9:23 <b>furnished</b> 5:11 <b>further</b> 11:8 24:1 26:15 <b>future</b> 24:13 <hr/> <b>G</b> <hr/> <b>g</b> 4:3 7:16,16 <b>generally</b> 17:15 <b>generic</b> 12:23 14:22 <b>generically</b> 16:12 <b>gfs</b> 16:2 20:6 <b>given</b> 26:13 <b>glitch</b> 9:6	<b>go</b> 10:18 11:22 18:24 21:20 22:20 24:15 25:6 <b>going</b> 11:19 <b>grand</b> 3:16 <b>greenberg</b> 3:6 27:3 <b>greg</b> 6:19 23:25 <b>gregory</b> 1:15 2:6 3:9 6:4 7:24 10:2,8,12 26:10 27:6,8 28:2 29:5,20 <b>group</b> 12:16 16:12 <hr/> <b>H</b> <hr/> <b>half</b> 8:9,12 <b>hand</b> 26:21 <b>handed</b> 11:1 <b>handled</b> 21:4,9 21:14,23 <b>handling</b> 20:10 <b>hanover</b> 8:23 <b>hardy</b> 3:14 7:4 <b>hasken</b> 3:21 7:7 7:7 <b>havent</b> 9:5 <b>health</b> 8:22 <b>heard</b> 9:4,5 13:8 13:9 <b>held</b> 2:6 6:9 <b>hereinbefore</b> 26:11 <b>heres</b> 21:7,8 <b>hereunto</b> 26:20 <b>hired</b> 8:18,19 <b>hope</b> 3:11 <b>hour</b> 9:14 <hr/> <b>I</b> <hr/> <b>identification</b> 10:21 15:2 <b>ii</b> 1:15 2:6 4:3 7:16,24 26:10 27:8 28:2 29:5	29:20 <b>ill</b> 12:11 <b>illinois</b> 1:2 3:8 6:8 27:4 <b>im</b> 6:12 8:2,25 10:12 11:19 13:21 16:10 18:4,7,23 20:3 <b>incidentally</b> 12:9 13:1 <b>including</b> 17:4 <b>incorporated</b> 6:6 <b>index</b> 4:1 5:1 <b>indicate</b> 27:13 <b>influence</b> 19:13 <b>information</b> 5:11 17:8 <b>inhouse</b> 3:23 6:24 13:8 <b>inquiries</b> 20:11 <b>inquiry</b> 20:7,8,16 20:23 <b>interested</b> 26:18 <b>interrogatory</b> 4:10 15:12 <b>introduce</b> 6:16 <b>introduced</b> 8:25 <b>involved</b> 16:16 18:8 <b>isnt</b> 20:13 <b>issue</b> 19:22 20:2 20:5 <b>ive</b> 8:8 13:23,24 16:8 <hr/> <b>J</b> <hr/> <b>james</b> 3:17 <b>jersey</b> 1:16 2:8 2:11 6:10 8:23 26:8 <b>jim</b> 7:3 <b>job</b> 1:25 <b>jomanna</b> 1:24 2:8 6:11 26:6 26:24 27:24 <b>june</b> 13:23	<hr/> <b>K</b> <hr/> <b>kansas</b> 3:16 <b>kindly</b> 24:24 <b>kirkland</b> 3:10 7:11 <b>kleinman</b> 3:23 6:23,23 <b>know</b> 8:24 9:7,12 9:15 10:2,14,15 10:16 11:5 18:6 19:7 <b>knowledge</b> 11:17 11:21 18:18 19:3,9,12,18 22:5,11,16 23:4 23:9 <b>knowledgeable</b> 20:1 <b>knows</b> 10:3 22:24 <hr/> <b>L</b> <hr/> <b>l</b> 3:23 <b>laboratories</b> 3:6 6:21 12:14 <b>latanoprost</b> 16:1 <b>law</b> 3:2 7:8 <b>legal</b> 3:24 6:12 <b>letter</b> 20:9 <b>line</b> 5:4,4,8,8,12 5:12,16,16 12:23 28:8,12 28:16,19,21 <b>lists</b> 15:14 <b>literature</b> 23:10 23:10 <b>litigation</b> 5:1 6:13 9:2 16:17 27:1 <b>llc</b> 3:15,19 <b>llp</b> 3:6,10,14,18 27:3 <b>lomb</b> 3:15 7:5 <b>long</b> 8:6,10 20:24 <b>look</b> 15:3,13,21 <b>looked</b> 12:2
--	---	--	--	--

<b>los</b> 3:12 <b>louis</b> 1:3 3:4,20 10:11,14 <b>lower</b> 24:8 <hr/> <b>M</b> <hr/> <b>m</b> 2:2 6:3 23:21 23:24 24:18,22 25:8,10 <b>madam</b> 24:5 <b>main</b> 2:7 6:10 <b>manufacture</b> 14:16 <b>manufactured</b> 14:8 <b>manufacturer</b> 14:24 <b>manufactures</b> 12:22 <b>manufacturing</b> 13:16 <b>march</b> 1:17 2:1 6:2 26:21 27:2 27:8 28:6 <b>marked</b> 5:15 10:20 15:1 <b>market</b> 3:3 <b>marketed</b> 14:5 <b>markets</b> 12:22 14:13 15:15 16:5 <b>marriage</b> 26:17 <b>matter</b> 6:4 26:19 <b>matthew</b> 3:24 6:12 <b>mean</b> 20:22 <b>medication</b> 22:6 <b>merck</b> 3:19,19 7:9 <b>met</b> 12:1 <b>midwest</b> 6:13 27:1 <b>missouri</b> 3:4,16 3:20 <b>misunderstood</b> 13:7 <b>morning</b> 9:3	<b>muehlberger</b> 3:17 7:3,4 <hr/> <b>N</b> <hr/> <b>n</b> 3:1,20 <b>name</b> 6:11,11 7:22 13:2,4 16:10 28:2,3 29:11 <b>nearly</b> 13:15 <b>necessary</b> 22:25 29:9 <b>need</b> 15:19,23 <b>never</b> 12:13 <b>new</b> 1:16 2:8,11 2:11 6:10 8:23 26:2,4,8,8 <b>norris</b> 3:12 7:10 7:10 <b>notarized</b> 27:17 <b>notary</b> 2:10 7:17 26:7 27:15 29:23 <b>notice</b> 4:9 10:23 <b>number</b> 10:24 21:7 24:9 <b>numbered</b> 15:4 <hr/> <b>O</b> <hr/> <b>o</b> 7:16 <b>objection</b> 10:17 14:18 15:18,22 19:6,14,19,23 20:12,18 21:3 21:10,18 22:8 22:13,18 23:1,6 23:7,12 <b>objections</b> 22:2 <b>office</b> 3:2 <b>offices</b> 2:6 <b>okay</b> 8:17 9:18 10:10,22 11:14 11:23,24 12:20 13:7,15 14:9 15:3,6 16:15 18:5 19:2 21:15 23:25	<b>ophthalmic</b> 13:17 14:4 15:14 <b>original</b> 17:4 27:9 <b>ostfeld</b> 3:9 6:19 6:19 10:17 14:18 15:18,22 19:6,14,19,23 20:12,18 21:3 21:10,18 22:2,8 22:13,18 23:1,6 23:12,18,25 24:1 27:6 <b>outcome</b> 26:18 <b>outside</b> 19:16 21:12,21 22:9 22:14 23:2,13 <hr/> <b>P</b> <hr/> <b>p</b> 3:1,1,17 <b>page</b> 4:2,8 5:4,4 5:8,8,12,12,16 5:16 10:24 24:8 25:3,4 27:10,15 27:18 28:8,12 28:16,19,21 <b>part</b> 12:15 <b>particularly</b> 14:20 <b>parties</b> 26:16 <b>patients</b> 18:15 <b>penalty</b> 29:12 <b>percent</b> 13:21 <b>perjury</b> 29:12 <b>personally</b> 10:8 <b>pfizer</b> 3:11 7:11 <b>pharmaceutical</b> 14:22,23 <b>pharmaceuticals</b> 3:7 6:22 13:17 14:4 15:15 <b>phone</b> 3:4,12,17 3:21 21:7 <b>pl</b> 4:9,10 10:20 10:25 15:1,4 24:11,13 25:3,4	<b>plaintiffs</b> 1:6 3:3 6:18 9:1 <b>plaza</b> 8:23 <b>please</b> 6:15 7:1 7:14,22 15:6 24:14 27:7,12 27:17 <b>pointed</b> 24:24 <b>position</b> 8:3,4,7,8 8:17 <b>prasco</b> 3:19 7:9 <b>prepared</b> 15:25 17:11 <b>preparing</b> 11:24 <b>prescription</b> 12:24 <b>present</b> 3:22 6:15 7:1 <b>princeton</b> 1:16 2:8 6:10 <b>prior</b> 27:18 <b>procedures</b> 20:10 <b>production</b> 5:7 <b>products</b> 12:3,24 14:3,8,9,14,17 14:21,23 15:24 16:4 17:4 18:1 19:1 20:2 <b>professional</b> 19:15 <b>pronounce</b> 13:1 13:3 <b>pronouncing</b> 13:4 <b>provide</b> 11:7 16:19,20 <b>provided</b> 15:11 16:22 <b>public</b> 2:10 7:18 26:7 27:15 29:23 <b>purchased</b> 14:3 15:16 <b>purchases</b> 15:15 16:5	<b>put</b> 24:7 <hr/> <b>Q</b> <hr/> <b>question</b> 9:5,8 10:6 12:3 14:21 <b>questioning</b> 10:5 <b>questions</b> 5:15 9:3 23:16 24:1 <b>quick</b> 23:18 <hr/> <b>R</b> <hr/> <b>r</b> 3:1 7:16,16 <b>read</b> 27:12 28:9 28:13,17,20,22 29:6 <b>reason</b> 28:10,14 28:18,20,23 <b>receives</b> 20:15 <b>recess</b> 23:22 24:20 <b>record</b> 6:2 23:21 23:24 24:16,19 24:22 25:6,9 26:13 <b>reed</b> 2:7 <b>refer</b> 13:8 16:12 20:16 21:15,25 <b>referred</b> 24:12 <b>regarding</b> 23:11 <b>regulatory</b> 8:5 8:20 16:21 17:8 19:15 <b>related</b> 18:2 26:16 <b>relates</b> 18:13 <b>render</b> 29:9 <b>reported</b> 1:24 <b>reporter</b> 2:9 7:14 24:5 26:7 <b>reporters</b> 6:11 <b>reports</b> 17:18,19 17:21 <b>represent</b> 9:1 <b>representative</b> 9:19 <b>representing</b> 6:18,20 7:5,8
---	---	---	--	--

7:11 <b>request</b> 5:7 <b>requests</b> 18:11 <b>research</b> 3:7 6:20 17:3 <b>reserve</b> 24:2 <b>response</b> 15:12 <b>responsible</b> 20:20 <b>return</b> 27:17 <b>richard</b> 3:2,4 27:18 <b>rick</b> 6:17 9:1 <b>right</b> 8:10,24 9:11,16,22,25 11:2,5,22 12:13 12:18 13:3,13 14:2,13,16 15:10 16:2,13 17:10 18:3,12 18:17,23 19:18 20:17,22 21:17 22:23 24:3,9,23 <b>role</b> 9:23 <b>ruling</b> 5:15	<b>scientific</b> 23:10 <b>scope</b> 15:18 19:6 19:14,23 20:12 20:18 21:3,10 21:18 22:8 23:1 23:12 <b>search</b> 16:17,18 <b>searching</b> 18:9 <b>second</b> 15:6 <b>see</b> 15:5 <b>seen</b> 11:2 13:23 13:24 15:8 <b>seitz</b> 1:15 2:6 4:3 6:4 7:24,25 10:2,8,12 26:10 27:8 28:2 29:5 29:20 <b>sells</b> 15:16 16:6 19:5 <b>send</b> 20:7 <b>services</b> 6:14 27:1 <b>set</b> 26:11,21 <b>sharp</b> 3:19 <b>sheet</b> 28:1 <b>sheets</b> 27:10,14 27:17 <b>shook</b> 3:14 7:4 <b>shorthand</b> 2:9 26:7 <b>sign</b> 27:14 <b>signature</b> 24:2 27:10,14,18 28:25 <b>silent</b> 13:11 <b>similarly</b> 1:5 27:5 28:4 <b>sincerely</b> 27:21 <b>sir</b> 7:23 8:24 10:22 23:17 <b>sitting</b> 10:11 <b>situated</b> 1:5 27:5 28:5 <b>size</b> 17:22 18:2 18:13,18 19:3 19:13 20:2	22:24 23:11 <b>smith</b> 2:7 3:24 6:12 <b>sold</b> 14:4 <b>somebody</b> 24:24 <b>sorry</b> 18:23 <b>southern</b> 1:2 6:7 <b>speaking</b> 14:20 <b>specialist</b> 3:24 <b>ss</b> 26:3 <b>st</b> 1:3 3:4,20 10:11,14 <b>start</b> 11:10 <b>state</b> 7:1,22 26:2 29:1 <b>states</b> 1:1 2:10 6:7 13:18 14:6 26:8 <b>sticker</b> 24:7,11 <b>street</b> 2:7 3:3,11 6:10 <b>strike</b> 15:7 <b>submissions</b> 12:2 17:16 <b>submit</b> 17:1 <b>submits</b> 17:11 <b>submitted</b> 16:24 17:5,7,24,25 <b>subscribe</b> 29:11 <b>substance</b> 29:8 <b>suite</b> 3:3,8,20 27:3 <b>supplements</b> 17:5 <b>supplying</b> 13:16 <b>support</b> 5:1 <b>supposed</b> 20:25 <b>sure</b> 7:24 13:2,21 <b>swear</b> 7:14 <b>sworn</b> 7:17 26:12	<b>talk</b> 12:6 <b>talking</b> 10:7 18:1 <b>technical</b> 18:21 <b>telephone</b> 20:9 <b>telephonically</b> 7:1 <b>tell</b> 20:25 21:6,16 <b>term</b> 16:8,11 <b>tested</b> 19:22 <b>testified</b> 7:18 <b>testify</b> 10:1 11:7 15:25 <b>testifying</b> 9:19 <b>testimony</b> 26:13 <b>tests</b> 20:1 <b>thank</b> 7:13 9:17 23:16 <b>thats</b> 10:23 11:18 11:21 13:22 15:4 19:16 21:12 22:9 23:13,15 <b>thereon</b> 29:10 <b>theres</b> 9:6 <b>think</b> 9:5 10:13 11:18 24:15 25:5 <b>thought</b> 13:9 <b>three</b> 8:9 13:15 24:6 <b>tim</b> 7:7 <b>time</b> 6:3 9:4,12 9:15 14:3 23:20 24:18 25:8,10 <b>timolol</b> 16:1,2,2 20:5,5,24 <b>timothy</b> 3:21 <b>today's</b> 6:2 24:18 25:8 <b>topics</b> 11:6,11,16 11:19 <b>touch</b> 21:17 <b>transcript</b> 24:14 27:13 <b>traurig</b> 3:6 27:3 <b>trial</b> 27:19	<b>true</b> 11:20 26:13 29:9,13 <b>two</b> 24:25 <hr/> <b>U</b> <hr/> <b>understand</b> 9:6 9:18,25 10:7,16 11:11,14 12:21 15:24 16:9 18:12 <b>understandable</b> 9:9 <b>understanding</b> 22:3 <b>united</b> 1:1 6:7 13:18 14:5 <b>usa</b> 3:15 <b>use</b> 10:5 18:15 <b>usually</b> 9:13 <hr/> <b>V</b> <hr/> <b>v</b> 1:7 6:5 <b>verify</b> 15:19,23 <b>video</b> 3:24 9:7 13:3 <b>videographer</b> 6:1 6:13,25 7:13 9:13 23:20,23 24:17,21 25:7 <b>videotaped</b> 1:15 2:5 6:3 <b>vs</b> 27:5 28:5 <hr/> <b>W</b> <hr/> <b>w</b> 3:8 27:3 <b>wacker</b> 3:8 27:3 <b>want</b> 9:12 11:19 13:2 16:11 <b>way</b> 11:22 26:18 <b>wednesday</b> 1:17 <b>whereof</b> 26:20 <b>witness</b> 4:2 5:3 7:15,17 11:7,12 26:10,14,20 27:12 28:2,25 <b>word</b> 10:6 16:11 <b>worked</b> 8:11
--	---	--	---	--

12:10,13 <b>working</b> 12:9	14:1 <b>2014</b> 1:17 2:1 6:2			
<hr/> <b>X</b> <hr/>	26:21 27:2,8			
<hr/> <b>Y</b> <hr/>	28:6			
<b>y</b> 7:16	<b>211</b> 3:20			
<b>years</b> 8:9,13	<b>24th</b> 26:21			
13:15	<b>25</b> 27:2			
<b>york</b> 2:11 26:2,4	<b>2500</b> 3:8 27:3			
26:8	<b>2555</b> 3:16			
<b>youd</b> 10:13	<hr/> <b>3</b> <hr/>			
<b>youre</b> 19:8,17,21	<b>3</b> 1:6 6:6			
<b>youve</b> 12:13	<b>30</b> 2:2			
<hr/> <b>Z</b> <hr/>	<b>333</b> 3:11			
<b>z</b> 7:16 13:5,11	<b>3600</b> 3:20			
<hr/> <b>0</b> <hr/>	<b>39</b> 6:3			
<b>004058</b> 15:4	<hr/> <b>4</b> <hr/>			
24:11,13 25:3	<b>4058</b> 4:10 15:1			
<b>004064</b> 10:25	<b>4064</b> 4:9 10:20			
25:4	<hr/> <b>5</b> <hr/>			
<b>02</b> 23:21	<hr/> <b>6</b> <hr/>			
<hr/> <b>1</b> <hr/>	<b>60601</b> 3:8 27:4			
<b>10</b> 4:9 23:21,24	<b>63101</b> 3:4			
24:18,22 25:8	<b>63102</b> 3:20			
25:10	<b>64108</b> 3:16			
<b>100</b> 13:21	<hr/> <b>7</b> <hr/>			
<b>1010</b> 3:3	<b>7</b> 4:3			
<b>12</b> 1:17 2:1 23:24	<b>70916</b> 1:25			
27:8 28:6	<b>77</b> 3:8 27:3			
<b>12cv01141</b> 6:6	<hr/> <b>8</b> <hr/>			
<b>12cv01141drh...</b>	<hr/> <b>9</b> <hr/>			
1:6	<b>9</b> 2:2 6:3			
<b>12th</b> 6:2	<b>90071</b> 3:12			
<b>13</b> 24:18				
<b>136</b> 2:7 6:10				
<b>14</b> 24:22				
<b>15</b> 4:10 25:8,10				
<b>1720</b> 3:3				
<hr/> <b>2</b> <hr/>				
<b>20</b> 29:15				
<b>2009</b> 8:15				
<b>2011</b> 13:23,24				